

MESSAGE NO: 8073202

MESSAGE DATE: 03/13/2008

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: ADM

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE 5084201
MESSAGE #
(s):

CASE #(s): A-475-818

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 02/22/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CASH DEPOSIT INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY FOR THE
PRELIMINARY RESULTS OF CHANGED CIRCUMSTANCES FOR AMERICAN ITALIAN/PASTA
LENSI S.R.L. (A-475-818-037)

MESSAGE NO: 8073202

DATE: 03 13 2008

CATEGORY: ADA

TYPE: ADM

REFERENCE: 5084201

REFERENCE DATE: 03 25 2005

CASES: A - 475 - 818

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PERIOD COVERED: 02 22 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CASH DEPOSIT INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY
FOR THE PRELIMINARY RESULTS OF CHANGED CIRCUMSTANCES
FOR AMERICAN ITALIAN/PASTA LENSİ S.R.L. (A-475-818-037)

1. ON FEBRUARY 22, 2008, THE DEPARTMENT OF COMMERCE (THE
DEPARTMENT) PUBLISHED IN THE FEDERAL REGISTER (73 FR 9769) ITS
NOTICE OF PRELIMINARY RESULTS OF ANTIDUMPING DUTY CHANGED
CIRCUMSTANCES REVIEW AND INTENT TO REINSTATE THE ANTIDUMPING
DUTY ORDER WITH RESPECT TO PASTA LENSİ S.R.L. (LENSİ), A
PRODUCER/EXPORTER OF PASTA FROM ITALY, AND AMERICAN ITALIAN
PASTA COMPANY (AIPC), LENSİ'S CORPORATE PARENT AND IMPORTER OF
SUBJECT MERCHANDISE PRODUCED BY LENSİ (A-475-818-037). THIS IS

AN AMENDMENT OF MESSAGE 5084201 ON MARCH 25, 2005.

2. IN THIS CHANGED CIRCUMSTANCES REVIEW, THE DEPARTMENT PRELIMINARILY DETERMINES THAT LENSİ MADE SALES AT LESS THAN NORMAL VALUE DURING THE 2002-2003 PERIOD OF REVIEW; THAT, CONSEQUENTLY, LENSİ NO LONGER QUALIFİES FOR REVOCATION BASED UPON THREE CONSECUTIVE REVIEWS RESULTING IN DE MINIMIS MARGINS; AND THAT THE ORDER SHOULD BE REINSTATED ON CERTAIN PASTA FROM ITALY RELATED TO SUBJECT MERCHANDISE PRODUCED AND EXPORTED BY LENSİ.

3. ACCORDINGLY, FOR SHIPMENTS OF CERTAIN PASTA FROM ITALY, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER FEBRUARY 22, 2008, YOU SHALL COLLECT A CASH DEPOSIT OF ESTIMATED ANTIDUMPING DUTIES OF 45.59 PERCENT OF THE ENTERED VALUE FOR LENSİ.

4. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE HAS ITS OWN RATE, USE THE EXPORTER'S RATE FOR DETERMINING THE CASH DEPOSIT RATE.

B. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE, BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT RATE WILL BE THE MANUFACTURER'S RATE.

C. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER CURRENTLY HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE 'ALL OTHER' RATE FOR ESTABLISHING THE CASH DEPOSIT RATE.

5. THESE CASH DEPOSIT REQUIREMENTS SHALL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THIS CHANGED CIRCUMSTANCES REVIEW. DO NOT LIQUIDATE ANY ENTRIES OF

MERCHANDISE INCLUDED IN THIS CHANGED CIRCUMSTANCES REVIEW UNTIL ASSESSMENT INSTRUCTIONS ARE RECEIVED.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O3: DB).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M.GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party